

Q13F

"Secret" Prisons

RELEASED IN FULL

- One of the difficult issues the U.S. and other countries face in this new kind of conflict, against non-state actors intent on murdering innocent civilians, is what to do with captured individuals we know or believe to be terrorists.
- **Captured terrorists of the 21<sup>st</sup> century do not fit easily into traditional systems of criminal or military justice, which were designed for different needs. We have to adapt. Other governments also face this challenge.**
- According to the law of war, **nations can hold these unlawful combatants to keep them from killing innocents.** International law allows a state to detain enemy combatants for the duration of active hostilities.
- **Detainees must be treated in a manner consistent with existing laws, questioned to gather potentially useful intelligence, and brought to justice whenever possible.**
  - **The U.S. complies with its Constitution, laws and Treaty obligations with respect to detainees.**
- **We and our friends around the world have a responsibility to work together to find practical ways to defend ourselves against ruthless enemies.**
- **We cannot discuss information that would compromise the success of intelligence, law enforcement, and military operations. We expect that other nations share these views.**
- **Some governments choose to cooperate with the United States on these matters. That cooperation is a two-way street. We share intelligence that has helped protect European countries from attack, helping to save European lives.**
- **It is up to those governments and their citizens to decide if they wish to work with us to prevent terrorist attacks against their own or other countries.**
- **It is also up to these governments to decide how much sensitive information they wish to make public. They have a sovereign right to make that choice.**